

**IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
TWENTIETH JUDICIAL DISTRICT AT NASHVILLE**

STATE OF TENNESSEE,)
ex rel. **ROBERT E. COOPER, JR.,**)
ATTORNEY GENERAL & REPORTER,)

v.)

OLUDARE SAMUEL OLOMOSHUA, a.k.a.)
DR. OLUDARE SAMUEL OLOMOSHUA,)
a.k.a. SAM ADU, a.k.a. S. O. B. ADU,)
individually and collectively doing business as)
WISDOMITE SPIRIPATHOLOGY)
HEALING MISSION AND MUSIC)
MINISTRY, INC., SPIRIPATHOLOGY)
SCHOOL OF MEDICINE, WISDOMITE)
HEALING MISSION and)
www.spiripathologyhealing.com, and)
WISDOMITE SPIRIPATHOLOGY)
HEALING MISSION AND MUSIC)
MINISTRY, INC., a domestic non-profit)
corporation doing business as WISDOMITE)
HEALING MISSION, SPIRIPATHOLOGY)
SCHOOL OF MEDICINE, and)
spiripathologyhealing.com,)
Defendants.)

No. _____

STATE OF TENNESSEE’S MOTION FOR TEMPORARY INJUNCTION

The State of Tennessee (“State”), through its Attorney General and Reporter,
Robert E. Cooper, Jr., and on behalf of and at the request of the Department of Health and the
Division of Consumer Affairs of the Department of Commerce and Insurance, moves this Court

pursuant to Tenn. Code Ann. § 63-1-121(a), (b) and Tenn. Code Ann. § 47-18-108(a) of the Tennessee Consumer Protection Act of 1977¹ for a statutory injunction temporarily enjoining Defendants Oludare Samuel Olomoshua and Wisdomite Spiripathology Healing and Music Mission, Inc., their officers, directors, employees, agents, successors and assigns, and other persons in active concert or participation with Wisdomite Spiripathology Healing and Music Mission, Inc. or Defendant Olomoshua who receive actual notice of the this temporary injunction, from engaging, directly or indirectly, in any acts which are unlawful, unsafe, unfair or deceptive to consumers, including but not limited to, the following:

- (A) Defendants shall be strictly prohibited from offering (directly or indirectly) any diagnosis, medical care, treatment or services for any diseases, conditions or illnesses from the State of Tennessee or to Tennessee consumers unless a licensed Tennessee medical doctor is providing the medical care, treatment and/or services.
- (B) Defendants shall fully comply with the Medical Practice Act, Tenn. Code Ann. §§ 63-6-101, *et seq.*
- (C) Defendants shall be strictly prohibited from (directly or indirectly) offering any medical cures or other treatments in or from the State of Tennessee unless and until those cures, or other treatments are substantiated by two well-controlled, double-blind, scientific studies written by doctors licensed in the United States and contained in a peer-reviewed medical journal. This shall include, but is not in any way limited to, a prohibition from promoting any of the following: HIV/AIDS syrup, Spiripathy Mystical Protection Soap, Spiripathy Jinx Removing Mystical Sprinkling Salt, Spiripathy Mystical Protection Anointing [sic] Perfume, Spiripathy Rose of Jerico [sic] Mystical Solution, Spiripathy anointed great Victory Incense, Spiripathy Anointed Oil, Spiripathy 909 500 ML, Anti Cancer Spiripathy DSR.2003 NY Bronx 500 ml, Spermaso “D” Syrup, Hemorrhoid medicine, Diuretic Syrup, Black Herman Fibroid Powder, St. Michael AA Syrup, Black Herman Caloria DB Syrup, Bacillus TB Syrup, Asthmatic Syrup, Gonocaptor Syrup, Hyperduretive Syrup, Samo-quine Syrup,

¹ Tenn. Code Ann. §§ 47-18-101, *et seq.*

Ordinary F.P. Methodology, Explosion 3000 soap, Explosion 3000 Syrup, Explosion 3000 Oil, Spiripathy Perfect Healing to Incurable Diseases Incense, DSR 2003 NY Bronx Anti Breast Cancer Super Set, Spiripathy Anit [sic] Asthma, Spiripathy DSR_2003 Anti Alzheimer's Disease Syrup, Spiripathy DSR 2003 Anti Multiple Sclerose, Spiripathy Therapy SRT (SG-400) For Cancer, Spiripathy DSR 2003 NY Bronze, Spiripathy DSR 2003 Anti Emphysema Syrup and DSR 2003 Peace Maker Anti HIV/AIDS.

- (D) Defendants shall be strictly prohibited from teaching others to engage in the practice of medicine without a license through its "medical school" or otherwise.
- (E) Defendants shall be strictly prohibited from representing that they have an money-back guarantee when the terms or conditions of the guarantee does not apply for those who seek scientific verification that they have been cured.
- (F) Defendants shall be strictly prohibited from promoting a guarantee without clearly and conspicuously disclosing the terms of the guarantee.
- (G) Defendants shall be affirmatively required to and shall remove all content from the website www.spiripathologyhealing.com concerning medical cures or treatments, shall not repost this content in this or another web address, or make new disease, condition or illness cure or treatment claims without the treatments or medical cures being substantiated by two well-controlled, double-blind scientific studies written by doctors licensed in the United States and contained in a peer-reviewed medical journal for use as a treatment or cure for the particular disease, condition or illness.
- (H) Defendants shall be prohibited from distributing and disseminating from the State of Tennessee or to Tennessee consumers documents, excerpts, or passages from the documents or electronic books entitled, "Complete Profile of Dr. Oludare Sam Olomoshua Specialist on Cancer & HIV/AIDS Asking for Contract to Give Perfect Cure to HIV/AIDS Carrier From United States," "The Medical Nuisance," and "Perfect Healing to Cancer & HIV/AIDS, With the Modern Medicine of Our Time" that make unsubstantiated treatment, and medical cure claims. Further, Defendants are prohibited from disseminating from the State of Tennessee or to Tennessee consumers documents, excerpts, or passages from "The Golden Gate to Diamond House of Prosperity," and "Wave Brain Attack on Mankind, the Worst Catastrophe of Our Time and How to Cure It" that concern claims about cures

or treatments for diseases, illnesses and conditions.

- (I) Defendants shall be prohibited from representing either directly or indirectly that Mr. Oludare Samuel Olomoshua is a physician or a medical doctor (M.D.) unless and until Mr. Oludare Samuel Olomoshua complies with Tenn. Code Ann. § 63-6-207 or 63-6-211 and has a medical license issued by the State of Tennessee.
- (J) Defendants shall be prohibited from representing either directly or indirectly that Mr. Oludare Samuel Olomoshua is a “HIV/AIDS specialist,” “cancer specialist,” or other medical specialist without receiving a license to practice medicine from the State of Tennessee and fully complying with the Board of Medical Examiners’ regulation governing advertising, Tenn. Adm. R. & Regs. 0880-2-.13.
- (K) Defendants shall be prohibited from representing Mr. Oludare Samuel Olomoshua as a Doctor of Philosophy (Ph.D.) unless and until Mr. Olomoshua graduates from an accredited graduate school widely recognized in the field of chosen study and receives a Ph.D.
- (L) Defendants shall be strictly prohibited from representing or encouraging, directly or by implication, that consumers should forego traditional established medical treatments for any health condition, illness or disease, including, but not limited to, chemotherapy, surgery, radiation, vaccinations or transplants in favor of Spiripathy or other similar treatment, unless and until Mr. Olomoshua provides substantiation for the claims or comparison in two double-blind, scientific studies written by two doctors licensed in the United States in a peer reviewed medical journal
- (M) Without limiting the scope of any other injunctive provision herein, unless and until the individual Defendants are licensed medical doctors in the State of Tennessee and until they receive substantiation for their treatments by two well-controlled, double-blind scientific studies written by doctors licensed in the United States and contained in a peer-reviewed medical journal, Defendants shall be strictly prohibited from representing, directly and by implication, that:
 - (i) Defendants offer “100% PERFECT HEALING OF CANCER and HIV/AIDS;”
 - (ii) Defendants offer the perfect cure for Cancer and HIV/AIDS;
 - (iii) “IF IT EXISTS UNDER THE SUN,

SPIRIPATHOLOGY MEDICINE HAS THE CURE,”
(or term or phrase of similar import),

- (iv) Defendants can cure or possess the cure for:
(1)HIV/AIDS, (2)adrenal cortical cancer, (3) anal cancer, (4), bile duct cancer, (5) bladder cancer, (6) bone cancer, (7) brain tumors, (8) cervical cancer, (9) Anal Cancer, (10) Childhood non-Hodgkin’s Lymphoma, (11) colon cancer, (12) rectum cancer, (13) eudiometrical cancer, (14) eye cancer, (15) gallbladder cancer, (16) gastrointestinal cardioid tumor, (17) Hodgkin’s disease, (18) Kaposi’s sarcoma, (19) kidney cancer, (20) laryngeal and hypo pharyngeal cancer, (21) leukemia, (22) liver cancer, (23) lung cancer, (24) breast cancer (both female and male), (25) nasal cancer, (26) nasopharyngeal cancer, (27) neuroblastoma, (28) oral cavity cancer, (29) ovarian cancer, (30) pancreatic cancer, (31) prostate cancer, (32) rhabdomyosarcoma, (33)salivary gland cancer, (34) skin cancer, (35) stomach cancer, (36) testicular cancer, (37) thyroid cancer, (38) uterine sarcoma, (39) vaginal cancer, (40) Wilms’ tumor, (41) schizophrenia, (42) high blood pressure, (43) depression, (44) emphysema, (45) multiple sclerosis, (46) Parkinson’s disease, (47) Alzheimer’s disease,(48) diabetes, (49) yellow fever, (50) malaria, (51) asthma, (51) or any other disease, condition or illness.

- (v) Defendants’ medicine gives perfect cure to HIV/AIDS from the man that discovered perfect cure to the three human Immunodeficiency Viruses Type 1, 2 and Type INz, when that is not true.

- (N) Defendants shall be strictly prohibited from directly or by implication, representing, that if one’s Will House is strong enough, someone can ward off viruses even with unprotected sex, (or term or phrase of similar import) without substantiation from two double-blind, scientific studies written by two doctors licensed in the United States in a peer reviewed medical journal

- (O) Defendants shall be prohibited from publishing, disseminating, posting, or otherwise distributing the photographs or other personally identifying information of another without that person’s express permission.

- (P) Defendants are prohibited from directly or by implication violating the Health Insurance Portability and Accountability Act (HIPAA).

- (Q) Defendants shall timely and fully comply and cooperate with the Department and Attorney General's Office when information is sought pursuant to state law, regulation or rule;
- (R) Defendants shall timely and fully provide information sought by the Department or Attorney General under Tenn. Code Ann. § 47-18-106.

Defendants shall immediately turn over and/or provide all patient/consumer records and files of the Wisdomite Spiripathology Healing and Music Mission, Inc. and Oludare Samuel Olomoshua and www.spiripathologyhealing.com to Denise Moran, Division of Investigations of the Tennessee Department of Health, by delivering files to 227 French Landing, Suite 201, Nashville, TN no later than 4:00 p.m. on the day of entry of this Order. As deemed appropriate by the Tennessee Department of Health, it will notify consumers/patients of the Defendants that they were not licensed medical professionals and encourage these consumers/patients to seek professional medical treatment from a licensed medical doctor as soon as possible and take any action deemed appropriate to protect the health and safety of consumers who purchased services or products from Wisdomite Spiripathology Healing Mission, Inc., Oludare Samuel Olomoshua and www.spiripathologyhealing.com. These records shall be treated as confidential and afforded all protections to protect the privacy of consumer's and patients in medical records. When consumers contacted Defendants they believed they were dealing with a licensed medical professional so this Court orders that the records will be afforded all protections available at law for medical files of patients held by a doctor or other medical facility. These records shall be treated as confidential due to the privacy rights of consumers in records they believed to be possessed by a licensed medical professional in the course of seeking medical treatment.

Defendants shall provide the Court with an accounting of all assets in Defendants' possession relating to the Defendants' businesses which Wisdomite Spiripathology Healing Mission and Music Ministry, Inc., a domestic non-profit corporation ("Wisdomite"), Oludare Samuel Olomoshua, aka Dr. Oludare Samuel Olomoshua, aka Sam Adu, aka SOB Adu ("Olomoshua"), Spiripathology School of Medicine, Wisdomite Healing Mission and www.spiripathologyhealing.com and a list of all bank accounts, bank account numbers, and the amounts currently held in those accounts as of the date of this Order.

Defendants shall pay all court costs associated with this Temporary Injunction Order. No costs shall be taxed to the State as provided by Tenn. Code Ann. § 47-18-108(a)(4).

In support of this Motion, the State relies upon the contemporaneously filed Memorandum of Facts and Law in Support of Motion for Temporary Injunction, the Complaint and the Exhibits attached to this Motion. These attachments demonstrate that the State has shown a likelihood of success on the merits of its action. The State incorporates the attached documents Attachments A-W to this Temporary Injunction Motion. Note that RCPI Collective Exhibit 3 within Attachment A, the RCPI Sworn Testimony of Mr. Olomoshua, contains copies of all of the documents Defendant Olomoshua produced to the State except for those materials which we are not able to duplicate. The materials that we are not able to duplicate include: (1) Spiripathy Clove Solution, (2) Spiripathy Protection Anointed [sic] Oil, (3) Anointed [sic] Perfume, (4) Prosperity Oil, (5) Spiripathy Prosperity Golden Soap, and (6) Super Sexy in One incense sticks. Since they were produced personally by Defendants, these materials have been in the sole custody of the State. As more fully set forth in these documents, the operation

of Defendants' business is permeated with unlawful conduct which is risking the health and safety of Tennessee consumers and consumers elsewhere.

In light of the health and safety issues, the State has filed a separate motion for expedited hearing of this Motion.

As cause for its Motion, the State relies on Attachments A-W attached to this Motion as well as the Memorandum in Support of the Temporary Injunction Motion.

**THIS IS THE FIRST APPLICATION FOR EXTRAORDINARY RELIEF FILED
BY THE PLAINTIFF IN THIS CASE.**

Respectfully submitted by:

ROBERT E. COOPER, JR.
Attorney General & Reporter
B.P.R. No. 010934

CYNTHIA E. KINSER (MILLS)
Deputy Attorney General
B.P.R. No. 13533

SUE SHELDON
Senior Counsel
B.P.R. No. 15295

OLHA N.M. RYBAKOFF
Assistant Attorney General
B.P.R. No. 24254

BRANT HARRELL
Assistant Attorney General
BPR No. 24470
425 Fifth Avenue North, 2nd Floor
Nashville, TN 37243
(615) 532-9299

CERTIFICATE OF SERVICE

I, Brant Harrell, do hereby certify that the foregoing document was served through original process on Defendants at 1050 44th Avenue North, Nashville, TN 37209 and as a courtesy on Defendants' attorney Jefre Goldtrap at 176 Second Avenue North, P.O. Box 190599, Nashville, Tennessee 37219-0599 on this the ____ day of November, 2006.

BRANT HARRELL
Assistant Attorney General